

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KATHY NADINE SHAFF,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

3:12-cv-0206-LRH-VPC

ORDER

Before the court is defendant the United States of America's ("United States") motion to dismiss for failure to file an amended complaint. Doc. #29.¹

Pro se Plaintiff Shaff, a veteran, filed a civil rights complaint against the United States. In response, the United States filed a motion to dismiss. Doc. #19. The court granted the motion finding that Shaff failed to identify any specific causes of action. Doc. #23. However, rather than dismiss this action, the court granted Shaff leave to file an amended complaint "alleging specific causes of action that identify what civil right, if any, was violated and what federal statute supports that cause of action." *Id.* Ultimately, Shaff failed to comply with the court's order and file an amended complaint. Thereafter, the United States filed the present renewed motion to dismiss. Doc. #29.

¹ Refers to the court's docket entry number.

1 In response to the United States' motion, Shaff filed a response which identifies a prior
2 filing entitled "Motion; November 6, 2012" (Doc. #27) as the amended complaint. *See* Doc. #33.
3 The court has reviewed the identified document and finds that it fails to comply with the court's
4 order that Shaff file an amended complaint clearly identifying the civil rights she alleges have been
5 violated and the federal statutes which support her claims. However, because Shaff filed the
6 document within the requisite time frame, the court shall grant Shaff an additional opportunity to
7 file an amended complaint that identifies specific causes of action supported by clear allegations.
8 Failure to comply in the filing of an amended complaint will result in dismissal of this action.
9

10 IT IS THEREFORE ORDERED that defendant's motion to dismiss (Doc. #29) is DENIED.

11 IT IS FURTHER ORDERED that plaintiff Kathy Shaff shall have thirty (30) days from
12 entry of this order to file an amended complaint that complies with this order.

13 IT IS FURTHER ORDERED that the plaintiff's October 23, 2012 motion (Doc. #25);
14 November 8, 2012 motion (Doc. #27); and December 7, 2012 motion (Doc. #34), along with
15 defendant's motion to strike (Doc. #26), are DENIED as moot.

16 DATED this 30th day of May, 2013.



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19 LARRY R. HICKS
20 UNITED STATES DISTRICT JUDGE
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